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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/707,764	01/09/2004	Jesse J. Williams	71189-1575	1763
20915	7590	11/08/2005	EXAMINER	
MCGARRY BAIR PC 171 MONROE AVENUE, N.W. SUITE 600 GRAND RAPIDS, MI 49503			BOYER, CHARLES I	
			ART UNIT	PAPER NUMBER
			1751	

DATE MAILED: 11/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Notice of Allowability

Application No.

10/707,764

Examiner

Charles I. Boyer

Applicant(s)

WILLIAMS, JESSE J.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to applicants' amendment and response received May 24, 2005.
2. ☒ The allowed claim(s) is/are 1-19, 21-28 and 30-42.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

CHARLES BOYER  
PRIMARY EXAMINER

*Charles Boyer*

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### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with John McGary on August 15, 2005.

The application has been amended as follows:

In the specification, delete paragraph 20 and insert new paragraph 20 as follows:

[0020] A carpet and fabric composition for a carpet and fabric cleaning solution includes a solvent that functions as a cleaner and also as a fragrance, at least one surfactant, a pH adjusting agent, and, optionally, an anti-foam agent. The cleaning composition can also include one or more protectants, including an anti-stain (also known as stain resist) and/or anti-soil (also known as soil resist) agent. An example of the anti-stain agent is a compound containing **acrylate resin**, such as PM 1874, manufactured by the 3M Company. Suitable anti-stain agents are disclosed in U.S. Patent No. 5,948,480, which is incorporated herein by reference. As disclosed in U.S. Patent No. 5,948,480, suitable stain resists are polymers containing phenol-formaldehyde, methacrylic acid, maleic acid, sulfonated fatty acids and blends of the above. In addition, suitable anti-stain agents are disclosed in U.S. Patent Application Publication No. US2003/0060395A1 include sulfonated aromatic polymers, polymers that are derived from at least one or more  $\alpha$ - and/or  $\beta$ - substituted acrylic acid monomers, and hydrolyzed copolymers of at least one or more ethylenically unsaturated monomers and maleic anhydride. Also useful as stainblocking polymers are blends of at least two or more of these polymers, reaction products of at least two or more monomers from which these polymers may be derived, reaction products of at least one or more of the monomers from which the polymers may be derived and at least one or more of the polymers, and materials obtained by polymerizing at least one or more monomers in the presence of one or more polymers. An example of the anti-soil or soil resist agent is a

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compound containing polysiloxane derivatives, such as PM 1870, which is also manufactured by the 3M Company. Suitable anti-soil agents are disclosed in U.S. Patent Nos. 6,043,209; 5,534,167; and 5,888,290, which are incorporated herein by reference. Other agents may include acrylate copolymers, such as Syntran HX15-18, manufactured by Interpolymer Corporation. Soil resist agents as disclosed in U.S. Patent No. 6,043,209 includes polymers derived from monomers of acrylic acid, methacrylic acid, methacrylate, methyl-methacrylate, ethyl acrylate and maleic acid, as well as copolymers derived from the above monomers and olefin. Soil resist can also include a fluorinated hydrocarbons, including perfluoroalkyl compounds. The U.S. Patent No. 5,888,290 discloses a composition comprising a sol comprising a colloidal dispersion of substantially discrete, substantially monodisperse in size, polymer-grafted, inorganic microparticles in liquid and at least one fluorochemical. The composition is said to have durable water and oil repellency, durable stain release, and durable dry soil resistance to substrates, including carpets and fabrics.

Delete claim 1 and insert new claim 1 as follows:

1. An aqueous carpet cleaning composition comprising:
  - a terpene hydrocarbon solvent that also functions as a fragrance;
  - one or more surfactants;
  - a soil resist component;
  - a stain resist component that includes at least one compound selected from the group consisting of polymers containing phenol-formaldehyde, methacrylic acid, maleic acid, sulfonated fatty acids, and blends thereof, and acrylate resins;water in an amount sufficient to form an aqueous solution with the terpene hydrocarbon solvent, the one or more surfactants, the soil resist component, and the stain resist component; wherein the one or more surfactants includes at least one nonionic surfactant in an amount sufficient to stabilize the terpene hydrocarbon solvent in the aqueous solution; and

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a pH adjusting agent in an amount sufficient to maintain a pH of the aqueous carpet cleaning composition between about 8.5 and 9.5 to stabilize the carpet cleaning composition so that the terpene hydrocarbon solvent, the one or more surfactants, the soil resist component, and the stain resist component remain in solution.

In line 2 of claim 7, delete “anti-soil” and insert –soil resist—therefor

In line 2 of claim 8, delete “anti-soil” and insert –soil resist—therefor

In line 2 of claim 9, delete “anti-soil” and insert –soil resist-- therefor

In line 2 of claim 10, delete “anti-soil” and insert –soil resist-- therefor

In line 2 of claim 11, delete “anti-stain” and insert –stain resist—therefor

In line 2 of claim 12, delete “anti-stain” and insert –stain resist-- therefor

In line 2 of claim 13, delete “anti-stain” and insert –stain resist-- therefor

In line 2 of claim 16, delete “lineal” and insert –linear—therefor

Delete claim 28 and insert new claim 28 as follows:

28. An aqueous carpet cleaning composition comprising:

0.5 to 2.0 % by weight a terpene hydrocarbon solvent that also functions as a fragrance;

4.0 to 7.0 % by weight one or more surfactants comprising at least one nonionic surfactant in an amount sufficient to stabilize the terpene hydrocarbon solvent;

3.0 to 5.0 % by weight soil resist component;

4.0 to 10.0 % by weight stain resist component that includes at least one compound selected from the group consisting of polymers containing phenol-formaldehyde, methacrylic acid, maleic acid, sulfonated fatty acids, and blends thereof, and acrylate resins;

70 to 85 % by weight water; and

a pH adjusting agent to maintain a pH of the aqueous carpet cleaning composition between about 8.5 and 9.5 to stabilize the carpet cleaning composition so that the terpene

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hydrocarbon solvent, the one or more surfactants, the soil resist component, and the stain resist component remain in solution.

In line 3 of claim 32, delete “anti-soil” and insert –soil resist-- therefor

In line 4 of claim 32, delete “anti-stain” and insert –stain resist—therefor

In line 2 of claim 38, delete “lineal” and insert –linear—therefor

In line 2 of claim 41, delete “lineal” and insert –linear—therefor

### ***Allowable Subject Matter***

1. The following is an examiner's statement of reasons for allowance: Applicants have claimed a composition according to claim 1 set forth above. The closest prior art of Young, US 5,837,665 teaches a spot cleaner for carpets comprising 0.1% limonene, 2.4% anionic surfactant, builders, solvents, and water (col. 2, lines 35-44). The prior art does not teach a composition comprising a soil resist, specific stain resist compounds, a terpene, nonionic surfactant, and pH adjusting agent. Accordingly, the present claims are allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

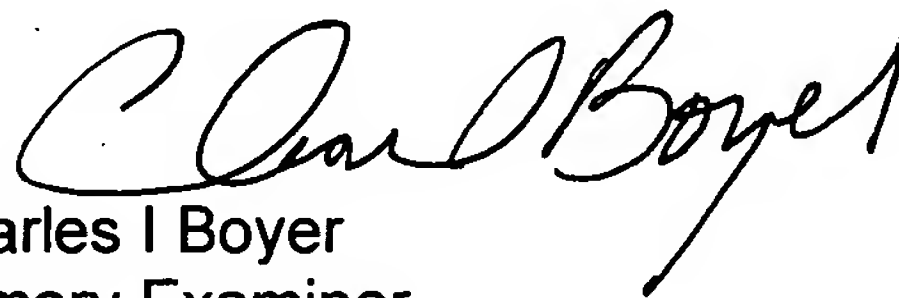
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles I. Boyer whose telephone number is 571 272 1311. The examiner can normally be reached on M-F 9:30 to 6:00.



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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra Gupta can be reached on 571 272 1316. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Charles I Boyer  
Primary Examiner  
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